Tenure

UNIVERSITY POLICY #216

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SECTION 1: Introduction and General Principles

1.1 In accordance with West Virginia Higher Education Policy Commission Series 9, "Academic Freedom, Professional Responsibility, Promotion, and Tenure," West Liberty University establishes the following policy to govern the eligibility for and award of tenure to faculty.

1.2 Consistent with this document, colleges and departments shall supplement these guidelines with more detailed descriptions and interpretations of the criteria and standards that, when approved by the Provost, will apply to faculty members in the particular unit.

1.3 Annual evaluation, promotion in rank, and the granting of tenure are acts of critical importance both to members of the academic community and for the welfare of the university. While these three processes are distinct, they are also inextricably linked. The annual evaluation process contributes to the improvement of faculty members and the university and is both evaluative and developmental. Retention, tenure, and promotion decisions reward individual achievement and also shape the university for decades.

1.4 Responsibility for faculty evaluation for promotion and tenure is shared by members of the university community. Primary responsibility for the quality and presentation of an individual's work within the faculty personnel file lies with the particular faculty member. Faculty colleagues participate in review for promotion and tenure through membership on college committees. Independent reviews at the college and institutional levels assure fairness and integrity in the application of appropriate standards and procedures among departments and colleges. The needs and circumstances of the department, college and university also enter into the determination of academic personnel decisions.

SECTION 2: Contexts of Appointment for Tenured or Tenure-Track Faculty

2.1 Tenure is an arrangement whereby faculty members, after successful completion of a period of probationary service, are entitled to a continuing series of appointments. A tenured faculty member will be subject to dismissal only for cause (Series 9 §12.1 *et seq.*), unavoidable termination due to financial exigency, or unavoidable termination due to program discontinuance. Tenure is an earned privilege; it is not a right; it is not

automatically conferred; and tenured status carries with it duties and responsibilities which are correlative to its guarantee of freedom of teaching and research.

2.2 A faculty member is usually appointed without tenure. Occasionally, appointment with tenure is possible. To make an appointment with tenure, a written request must be submitted by the department chair and the dean to the Provost. The Provost will initiate a review process. In such cases, the Provost will establish a faculty committee of not fewer than three tenured members from relevant disciplines to review the credentials of the individual being considered. This committee will make a recommendation to the Provost, and the Provost will make a recommendation to the President at the time of initial hiring. The President will have final authority to grant or deny tenure. If the individual is being appointed as a dean with faculty rank, the Provost will initiate a review process. In such cases, the Provost will establish a faculty committee of not fewer than three tenured members from relevant disciplines to review the credentials of the individual being considered. This committee will make a recommendation to the Provost, and the Provost will make a recommendation to the President at the time of initial hiring. The President will have final authority to grant or deny tenure. If the individual is being appointed as the Provost with faculty rank, the President will initiate a review process. In such cases, the President will establish a faculty committee of not fewer than three tenured members from relevant disciplines to review the credentials of the individual being considered. This committee will make a recommendation to the President at the time of initial hiring. The President will have final authority to grant or deny tenure.

2.3 To be eligible for tenure, a faculty member must be admitted to tenure-track and meet certain standards after a period of probationary employment. Appointments at the level of Lecturer or Instructor are not tenure-track appointments. Also, time spent on a leave of absence normally shall not count when calculating years of service for a tenure-track faculty member. The faculty member may request that such time spent on scholarly activities apply toward years of service. The faculty member's dean shall determine in advance of the leave whether such time will apply and will make a recommendation to the Provost. Written notification of the decision to modify the critical year will be forwarded both to the faculty member and to the department chair and will be added to the faculty member's personnel file.

2.4 The granting of promotion does not guarantee the award of tenure. Tenure shall not be granted automatically or merely for years of service.

2.5 For an award of tenure, tenure-track faculty undergo a particularly rigorous evaluation involving an assessment of accumulated accomplishments and the likelihood that the faculty member's level of performance will be maintained. Details related to the award of tenure are found in this policy.

2.6 **Initial Appointment With Credit.** Appointments can also be made with credit toward tenure for previous experience, thereby shortening the time spent on tenure-track at West Liberty University. A written request for credit toward tenure must be submitted by the dean to the Provost, who is the granting authority for this request. Up to three years' credit toward tenure may be allowed unless the candidate does not wish such credit. The maximum amount of credit that could be allowed and the tentative "critical year" (critical year is defined as the year in which a tenure decision must be made) shall be identified in the letter of appointment. In such a circumstance, during the first year the faculty member may accept the identified critical year or all or part of the possible allowable credit to be applied in his or her instance at which point the critical year shall be confirmed by the Provost. Action earlier than the established critical year will not be considered. If, during the first year, the faculty member does not request modification of the tentative critical year identified in the letter of appointment, that year will become the recognized critical year. Exceptions to recognize unique situations are possible.

2.6.1 Evidence of performance during the established years of credit should be included in the personnel file and will be considered during the tenure evaluation process.

2.7 **Initial Appointment Without Credit.** A person initially appointed on tenure-track will receive an appointment letter that normally will identify the sixth year of employment as the critical year. A tenure-track faculty member in the sixth year or in the year determined to be the critical year must be reviewed for tenure and must either be awarded tenure (that goes into effect the next year) or given notice of termination of appointment and a one-year terminal appointment. This review will occur automatically unless the faculty member requests no review, in which case a one-year terminal appointment will be issued for the academic year following that in which the review would have otherwise occurred.

2.8 **Transition from Non-Tenure-Track to Tenure-Track.** A person initially appointed on non-tenure-track may become eligible to transition to tenure-track status. In such cases, the dean, with the agreement of the faculty member and approval of the Provost, shall create a new letter of appointment indicating this transition and establishing the critical year and details of the expectations in the three areas of contribution consistent with criteria for initial appointment as specified in Paragraph 2.6.

SECTION 3: Definitions, Criteria, and Standards

3.1 Faculty members are expected to contribute to the missions of specific programs, departments, and colleges and are to be judged accordingly. Consequently, the evaluation of faculty is to occur in relation to the faculty member's particular roles at

the institution. Accomplishments of the faculty member are judged in the context of these roles.

3.2 In a Letter of Appointment, established per WLU Policy 208, the responsible university administrator (usually the dean) shall define the general terms of the faculty member's major responsibilities in the areas of teaching, professional activity, and service. In cases of catastrophe or emergency, adjustments to a faculty member's Critical Year may be reviewed and modified by the Provost.

3.3 All tenure-track and tenured faculty members must do scholarly, creative, or professional work that informs their teaching, and must engage in service.

3.4 Each program, department, or college shall refine the definitions and standards related to the areas of contribution (teaching, professional activity, and service) in ways that reflect the unit's disciplines and mission, as they support the University's mission. The criteria shall be applied to all faculty members in ways that equitably reflect the particular responsibilities and assignments of each. How the unit criteria apply to a faculty member's own set of duties should be clear at the time of initial appointment and reviewed in the annual evaluation. The annual evaluation criteria define what that particular program or department means by teaching, professional activity, and service, and therefore annual evaluations will be considered in the tenure evaluation process. Merit rankings, however, as they are relative measurements, will not be considered. Department evaluation criteria shall be approved by the dean and the Provost and may be modified from time to time as necessary. Copies of departmental and/or college criteria shall be available to all participants in the review process (i.e., committee members, department chair, program director, dean, Provost, and President).

3.5 The University criteria for the granting of tenure described below are general expectations; they should be elaborated by college, departmental or program criteria which take account of the distinctive character of the faculty member's discipline. The degree of emphasis to be placed on each area, as defined in the faculty member's Letter of Appointment will be taken into account in the tenure evaluation process. The criteria used for evaluation of tenure shall be the criteria in place at the time of hire of the faculty member unless modified in consultation between the faculty member and chair of the department with the approval of the dean of the college and the Provost and must be stipulated in a written agreement. Any such modification must be made in light of the needs of the academic program.

3.6 **Criteria Definitions.** The University faculty is a community of scholars whose scholarship is manifest in a variety of ways. These manifestations are commonly grouped into three areas of significant contribution: teaching, professional activity, and service. It is expected that for most faculty members there will be responsibilities established in all three areas.

3.6.1 **Teaching.** Successful teaching is an expectation for all faculty members. Teaching involves the dissemination of knowledge, the stimulation of critical thinking, and the development of artistic expression. Teaching includes not only traditional modes of instruction such as the classroom lecture, but also modes such as clinical, laboratory, and practicum instruction; thesis direction; evaluation and critique of student performance; various forms of continuing education and nontraditional instruction; and advising, which is a special dimension of teaching, the success of which is essential to the educational process. As a criterion for tenure, appropriate contributions will have been made in teaching.

3.6.1.1 The prime requisites of any effective teacher are intellectual competence, integrity, independence, a spirit of scholarly inquiry, a dedication to improving methods of presenting material, the ability to transfer knowledge, respect for differences and diversity and, above all, the ability to stimulate and cultivate the intellectual interest and enthusiasm of students. Supporting documentation for the evaluation of performance in teaching will include evidence drawn from such sources as the collective judgment of students and of colleagues or administrators who have visited the faculty member's classes. It might also include analyses of course content, evaluation of products related to teaching, the development or use of instructional technology, performance-based student assessment results, pedagogical scholarship in refereed publications and media of high quality, studies of success rates of students taught, course enrollments, or other evidence deemed appropriate and proper by the department and college.

3.6.1.2 In some cases, external reviews of teaching contributions may be appropriate.

3.6.2 **Professional Activity.** Professional activity involves the creation and synthesis of knowledge, the creation of new approaches to understanding and explaining phenomena, the development of new insights, the critical appraisal of the past, artistic creation and performance, and the application of knowledge and expertise to address needs in society and in the faculty member's field of expertise.

3.6.2.1 Professional activity is a critical component of the mission of the university, contributing to the general body of knowledge and thus infusing instruction and public service with rigor and relevance. It validates the concept of the teacher-scholar. Although often discipline-focused and individual, these activities may also be interdisciplinary and collaborative. Examples of professional activity include refereed publications (print or electronic), publications in other academic sources

of high quality and other academically relevant media and original contributions of a creative nature relevant to one or more disciplines, which may be as significant as the publication of a scholarly book or article. Quality is considered more important than mere quantity. Significant evidence of scholarly merit may be either a single work of considerable importance or a series of works constituting a program of worthwhile activity. Faculty members are expected to undertake a continuing program of appropriate studies, investigations, creative works, and/or professional practice.

3.6.3 **Service.** Service activities involve the application of the benefits and products of teaching and research to address the needs of society and the profession. These activities include service to the university, state, and region as well as at national and international levels. Service to the university includes contributions to the efficiency and effectiveness of the faculty member's department and college. The university is committed to the performance and recognition of service activities on the part of its faculty as essential components of its mission. Enlightened perspectives, technical competence, and professional skills are indispensable resources in coping with the complexities of modern civilization.

3.6.3.1 The evaluation of service should include assessments of the degree to which the service yields important benefits to the university, society, or the profession. Especially relevant is the extent to which the service induces positive change, improves performance, or has significant impact on university or societal problems or issues. Important examples of service to the university are faculty participation in the governance system and university-level committees. Service contributions considered for evaluation are those within a person's professional expertise as a faculty member and performed with one's university affiliation identified.

3.7 **Tenure Criteria and Considerations.** Recommendations and decisions regarding tenure are to be based on both quantitative and qualitative evidence. The primary evidence to be weighed must be contained in the faculty member's personnel file. To it are added professional judgments regarding the quality of the faculty member's teaching, professional activity, and service, as applicable.

3.7.1 In order to be recommended for tenure a faculty member normally will be expected to demonstrate appropriate contributions in teaching in the classroom or other settings and in professional activity and service, as specified in the Letter of Appointment and subsequent modifications.

3.7.2 The decision to accept a recommendation for or against the awarding of tenure shall rest on “the tenure profile of the institution, projected enrollment patterns,

staffing needs of the institution, current and projected mission of each department/division, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent" per HEPC Title 133 Series 9, Para. 9.2, and on the strengths and limitations of the faculty member as established in the annual evaluation process and other elements of the faculty personnel file.

3.8 **Modification of Assignment and Expectations.** A full-time or part-time assignment to an administrative position or to a unit other than the one in which the faculty member holds or seeks tenure does not carry with it an automatic modification of criteria for tenure. A faculty member who accepts such an assignment and who seeks tenure should have a written agreement concerning both status and expectations within the department in which the locus of tenure resides. Such an agreement must be approved by the Provost with a copy of the agreement placed in the personnel file.

3.9 **Changing Areas of Contribution.** The criteria in the Letter of Appointment may be modified on an individual basis in accordance with WLU Policy 208.

SECTION 4: Evaluation Process and Timeline for Tenure

4.1 Evaluations of the credentials of faculty, as contained in the faculty personnel file, are carried out at four levels of university organization: department/program, college, Provost and President. When appropriate, a judgment is made at each of these levels by the administrative officer of the unit and, at the college level, by a faculty committee. Faculty members should neither initiate nor participate in institutional decisions involving a direct benefit (initial appointment, retention, annual evaluation, promotion, salary, leave of absence, etc.) to members of their immediate family or household. Any deadline in this process that falls on a weekend or university holiday will be extended to the next regular workday of the university.

4.2 **Department and College Levels**

4.2.1 There is no procedure for application for tenure, as this review is done automatically based upon the faculty member's original letter of appointment or subsequent modifications.

4.2.2 The personnel file is closed to further updates **at close of business on September 30 of the Critical Year**. Only documents generated as part of the review process will be added to the personnel file during the review process.

4.2.3 Each college shall have a faculty promotion and tenure committee, normally consisting of a minimum of five members, at least three of whom shall be tenured. If at all possible, each committee should include a range of academic

disciplines representative of the college. Only the tenured members of the committee will participate in the tenure recommendation process. The method of selection of members is left to the discretion of the dean. Department chairs and program directors shall not be members of the committee. A person who is under consideration for tenure shall not serve on the committee reviewing his/her personnel file. If the college has an insufficient number of eligible tenured faculty members to serve on its committee, the dean, in consultation with the department chairs, program director(s), and faculty being reviewed for tenure, will appoint additional tenured faculty from outside the college as necessary. Service on a promotion and tenure committee is required of a faculty member when this appointment is made. A faculty member may decline appointment to a promotion and tenure committee only if a credible claim of conflict of interest can be made. Such a claim must be presented in writing to the dean making the appointment, who will rule on the request and respond in writing within five (5) working days of receipt of the request. The college committee will prepare a written evaluation for each faculty member, together with an unequivocal recommendation for or against the award of tenure. The written evaluation must include a detailed evaluation of the faculty member's Teaching, Professional Activity, and Service and must be signed by all members of the committee. The total number of positive and negative votes must be recorded. Committee members may include minority statements in the recommendation. The recommendation must be dated and forwarded to the department chair or program director, with copies to the appropriate dean and the Provost, no later than **December 1**. The department chair/program director will notify the candidate of the committee recommendation no later than **December 6**, and the candidate will have the opportunity to provide an unrebutted response to the department chair/program director no later than **December 20**.

4.2.4 The department chair/program director will review the committee's evaluation and recommendation along with any rebuttal and make an assessment and recommendation to the dean, with a copy to the Provost, in writing, with unequivocal recommendations for or against the award of tenure no later than **January 22**. The department chair/program director will notify the candidate of his/her recommendation by **January 22**, and the candidate will have the opportunity to provide an unrebutted response to the dean no later than **February 5**. Copies of all written statements shall be placed in the faculty member's personnel file.

4.2.5 The dean will review evaluations and recommendations from the college committee and department chair/program director and make an assessment and recommendation to the Provost in writing, including copies of all

recommendation letters, with unequivocal recommendations for or against the award of tenure no later than **February 28**. Deans have the responsibility for determining whether committee evaluations have been conducted fairly within the college and for assuring that comparable norms are applied in like units. The faculty member shall be informed, in writing, by the dean of his/her evaluation and recommendation no later than **February 28**. Copies of all written statements shall be placed in the faculty member's personnel file. The faculty member may include a rebuttal to the dean's recommendation against tenure for review by the Provost. The rebuttal must be forwarded to the Provost no later than **March 14**.

4.3 **Provost Level**

4.3.1 The Provost will submit his/her formal recommendation, in writing, to the President no later than **April 1**.

4.3.2 The Provost will notify the candidate of his/her recommendation no later than **April 1**. The candidate will have the opportunity to provide an unrebutted response to the President no later than **April 15**. The applicant's response will be added to the faculty member's personnel file.

4.4 **President Level**

4.4.1 Decisions on tenure will be made by the President after review of all recommendations.

4.4.2 The faculty member, the appropriate department chair/program director, the appropriate dean, and the Provost will be notified in writing of the decision rendered no later than **May 1**.

4.4.3 When tenure is awarded, tenure status will take effect along with any associated benefit(s) on the first contract day of the academic year following that in which the review was conducted.

4.5 **Negative Decisions**

4.5.1 When tenure is not awarded, the faculty member will receive a terminal contract for the academic year following that in which the review was conducted. A faculty member may request from the President or designee, within ten (10) working days of receipt of the notice from the President of denial of tenure and subsequent non-retention, the reasons for the decision.

4.5.2 Within fifteen (15) working days of the receipt of the reasons, the faculty member may appeal the decision by filing a grievance with the President by

using W.Va. Code §6C-2-l et seq., in accordance with Section 15 of HEPC Title 133 Series 9. HEPC Title 133 Series 9 and W.Va. Code §6C-2 are accessible on-line at https://www.wvhepc.edu/wp-content/uploads/2020/02/133-9final.pdf and http://pegboard.state.wv.us/. Faculty may wish to check with the Office of Human Resources to ensure they have access to the most recent copy of the procedures.